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July 8, 1998

via facsimile

Mr. Charles Koerber  
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Re: U.S. Patent Application No. 08/338,567  
 "HEALTH SUPPLEMENTS CONTAINING PHYTO-OESTROGENS,  
 ANALOGUES OR METABOLITES THEREOF"  
by Graham Edmund Kelly

Dear Charlie:

Following up our phone discussion of last week, here is the Power to Inspect and Make Copies relating to the above-referenced patent application, which is presently in the Office of Petitions, awaiting a decision on our Petition for Entry of Late Assignment Papers and for Patent to Issue to Assignee Under 37 C.F.R. §3.81(b). I was informed by a Mr. Dombroske, in response to a telephone inquiry on or about June 17, 1998, that the pending petition probably would not be reached for action until sometime in August 1998, at the earliest. As I mentioned to you, the applicant urgently wishes to move this application toward allowance because of a licensing commitment.

In accordance with your suggestion, I am attaching a chronology of the relevant dates from which you can see the unusually long delay in the processing of this application to issuance. I readily acknowledge that we are in part responsible for some of the delay, particularly because of the late filing of the assignment papers. However, if I had realized the length of the resulting delay, I would have refrained altogether from submitting the assignment papers.

The question at-hand is whether our petition for entry of late assignment papers under Rule 3.81(b) can now be formally withdrawn and, if so, will such withdrawal result in the

*Graham Edmund Kelly 3059285*